

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Marcie Nolan, AICP, Acting Development Services Director/(954) 797-1101

PREPARED BY: David M. Abramson, Acting Planning and Zoning Manager

SUBJECT: Plat Application, Resolution: P 2-1-07/07-59/Han-Mi Baptist Church/Generally located 660' south of Southwest 20th Street, on the east side of Flamingo Road

AFFECTED DISTRICT: District 3

ITEM REQUEST: Schedule for Council Meeting

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "HAN MI BAPTIST CHURCH" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The petitioner requests approval of the plat known as the "Han-Mi Baptist Church." The proposed plat consists of 4.70 net acres (204,556 sq. ft.) is restricted to 11,000 sq. ft. of church facility. The proposed plat provides vehicular access onto the subject site off Frontage Road through a 50' Non-Vehicular Access Line (NVAL) opening along western boundary line.

Staff finds that the proposed "Han-Mi Baptist Church" plat is in accordance with the Comprehensive Plan and Land Development Code as it relates to access, location, and size. The propose plat is consistent with the Land Development Code as it relates to access, location, size, and use.

PREVIOUS ACTIONS: n/a

CONCURRENCES:

At the December 13, 2007 Planning and Zoning Board meeting, Ms. Turin made a motion, seconded by Chair Bender, to approve. In a roll call vote, the vote was as

follows: Chair Bender – yes; Vice-Chair Stevens – absent; Mr. Busey – absent; Mr. Pignato – yes; Ms. Turin – yes. (**Motion carried 3-0**)

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration subject to the following condition:

1. Shall be subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
2. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.
3. Contingent upon approval of Site Plan Application (SP 2-6-07) Han-Mi Baptist Church.

Attachment(s): Resolution, Planning Report, Plat

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "HAN-MI BAPTIST CHURCH" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat to be known as the "Han-Mi Baptist Church" was considered by the Town of Davie Planning and Zoning Board on December, 12 2007;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The plat known as the "Han-Mi Baptist Church" is hereby approved subject to the conditions stated on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign said plat on behalf of the Town and the Town Clerk is directed to affix the Town seal to said plat.

SECTION 3. Any improvements required to satisfy Traffic Concurrency should be located within the Town of Davie.

SECTION 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2008.

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2008.

Exhibit “A”

Application: P 2-1-07/07-59/Han-Mi Baptist Church

Original Report Date: 12/5/07

Revision(s):

12/13/07

TOWN OF DAVIE

Development Services Department

Planning & Zoning Division

Staff Report and Recommendation

Applicant Information

Owner

Name: Seung Soo Kim, Han-Mi Baptist Church, Inc.

Address: 268 Riverwalk Circle

City: Sunrise, Florida 33326

Phone: (954) 349-2448

Petitioner

Name: Jay Evans, Pillar Consultants, Inc.

Address: 5230 South University Drive, #104

City: Davie, Florida 33328

Phone: (954) 680-6533

Background Information

Application Request: Approval of the plat known as the “Han-Mi Baptist Church”

Address: 2150 Flamingo Road

Location: Generally located 660’ south of Southwest 20th Street, on the east side of Flamingo Road

Future Land

Use Plan Map: Residential 1 DU/Acre

Existing Zoning(s): CF, Community Facility District

Existing Use(s): Vacant

Parcel Size: 4.70 net acres (204,556 sq. ft.)

Proposed Use(s): House of Worship

Proposed Density: n/a

Surrounding Use(s):

North: V.I. Pet Resort
DU/Acre

Surrounding Land

Use Plan Map

Designation(s):

Residential 1

South: DU/Acre	Vacant	Residential	1
East: DU/Acre	Paradise Pines	Residential	1
West: DU/Acre	Vacant	Residential	1

	<u>Surrounding Zoning(s):</u>
North:	A-1, Agricultural District
South:	A-1, Agricultural District
East:	A-1, Agricultural District
West:	A-1, Agricultural District

Zoning History

Related zoning history:

Rezoning Application (ZB 2-1-02), the Town of Davie Council approved this application (From: AG, Agricultural District To: CF, Community Facility) on March 5, 2003.

Previous requests on same property:

Variance Application (V 2-1-02), the Town of Davie Council approved this application (From: Section 12-34 (DD), requiring that no freestanding house of worship shall be closer than 2,500 feet from any other freestanding house of worship; To: reduce the minimum separation of 2,300 feet) on February 19, 2003.

Plat Application (P 1-1-05), the Town of Davie, Planning and Zoning Division had withdrawal this application after no active for a period of six (6) from the date of the Development Review Committee (DRC) meeting.

Rezoning Application (ZB 7-5-05), the Town of Davie, Planning and Zoning Division had withdrawal this application (From: CF, Community Facility To: AG, Agricultural District) after no active for a period of six (6) from the date of the Development Review Committee (DRC) meeting.

Site Plan Application (SP 7-9-05), the Town of Davie, Planning and Zoning Division had withdrawal this application after no active for a period of six (6) from the date of the Development Review Committee (DRC) meeting.

Concurrent Request(s) on same property:

Site Plan Application (SP 2-6-07), the petitioner requests site plan approval for a House of Worship consisting of 9,983 sq. ft.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Land Development Code (Section 12-360(B)(1)) platting requirements.

Land Development Code (Section 12-366.1 (A) thru (D)) submission requirements for plats.

Land Development Code, Article XII of the Land Development Code, Subdivisions and Site Plans.

Land Development Code (Section 12-24 (J)(5)), the CF, Community Facility The CF District is intended to implement the community facilities classification of the Town of Davie Comprehensive Plan by providing areas for location of community facilities.

Land Development Code (Section 12-83), Conventional Nonresidential Development Standards, CF, Community Facilities District, requires the following minimums: lot area of 43,560 square feet, frontage of 100 feet, front setback of 50 feet, side and rear setbacks of 25 feet, maximum building height of 35 feet, and 30 percent minimum open space.

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 2. Planning Area 2 includes the westernmost section of the Town north of Orange Drive and south of SW 14 Street, and bound on the west by Interstate 75 and on the east by SW 100 Avenue. The predominant existing and planned land use is single family residential at a density of one dwelling per acre.

Broward County Land Use Plan:

The subject site falls within Flexibility Zone 100.

Applicable Goals, Objectives & Policies:

Future Land Use Plan, Community Facilities Use, Policy 13-2: Community Facilities may be permitted in land use categories other than Community Facilities category, provided such development is compatible with and does not adversely affect the development of surrounding land for designated purposes.

Future Land Use Plan, Policy 5-2: The (re)zoning, (re)platting, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Use portion of the Implementation Section.

Future Land Use Element, Land Use Compatibility and Community Appearance, Policy 17-1: Lands designated for non-residential use shall be located in a manner, which facilitates development, but does not adversely impact existing and designated residential areas.

Future Land Use Plan, Land Use Compatibility and Community Appearance, Policy 17-2: No property within the Town shall be rezoned to a zoning district that is not in compliance with the Davie Future Land Use Plan.

Future Land Use Plan, Land Use Compatibility and Community Appearance, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Application Details

The applicant's SUBMISSION indicates the following:

1. *Site:* The subject site consists of 4.70 net acres (204,556 sq. ft.).
2. *Restrictive Note:* This plat is restricted to 11,000 sq. ft. of church facility.
3. *Access:* The proposed plat provides vehicular access onto the subject site off Frontage Road through a 50' Non-Vehicular Access Line (NVAL) opening along western boundary line.

4. *Trails:* The Peaceful Ridge Trail is located along Flamingo Road (Frontage Road) and Southwest 121st Avenue right-of-way adjacent to the subject site. This trail will accommodate leisure activities to and from the subject site and will also provide access numerous Davie parks and other trails.

5. *Easements and Reservation:* The following easements are proposed by this plat:
 - a. Twelve (12) foot utility easement along the perimeter boundary lines.
 6. *Vacations and Dedications:* The following dedications and vacations are proposed by this plat:
 - a. Eleven (11) foot right-of-way dedication along the western boundary line.
 7. *Drainage:* Approval from Central Broward Drainage District shall be obtained prior to final Planning and Zoning Divisions signing off of site plans and the issuance of any site development permit. In attempts to meet drainage requirements, the petitioner has proposed a 14,430 sq. ft. pond in southeastern portion of the subject site. This drainage area may also act as a buffer from the existing and future residential uses abutting the site.
 8. *Compatibility:* The proposed plat can be considered compatible with the existing community facilities and residential properties located along Flamingo Road. The propose plat is consistent with the Land Development Code as it relates to access, location, size, and use.
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Significant Development Review Committee (DRC) Comments

These following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

Engineering Division:

1. Provide a minimum of two (2) benchmarks referenced to the National Geodetic Vertical Datum of 1929 or the Broward County Vertical Network in conformity with the standards adopted by the National Ocean Survey for Third Order Vertical Control. The benchmarks must be located at the corners of the proposed plat. Show elevations for PRM's.
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Staff Analysis

The proposed "Han-Mi Baptist Church" plat is required and will accommodate a House of Worship building on the subject site. The subject site was originally recorded according to "Florida Fruit Lands Co. Subdivision No. 1" as recorded in Plat Book 2, Page 17 of the public records of Miami-Dade County, Florida. The petitioner's plat meets the intent of the CF, Community Facility District, Comprehensive Plan, and Future Land Use Plan Map designation of Residential 1 DU/Acre.

Staff Findings of Fact

Staff finds that the proposed "Han-Mi Baptist Church" plat is in accordance with the Land Development Code as it relates to access, location, and size. The proposed plat can be considered compatible with the existing community facilities and residential properties located along Flamingo Road.

Staff Recommendation

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration subject to the following condition:

4. Shall be subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
5. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.
6. Contingent upon approval of Site Plan Application (SP 2-6-07) Han-Mi Baptist Church.

Planning and Zoning Board Recommendation

Town Council Action

Exhibits

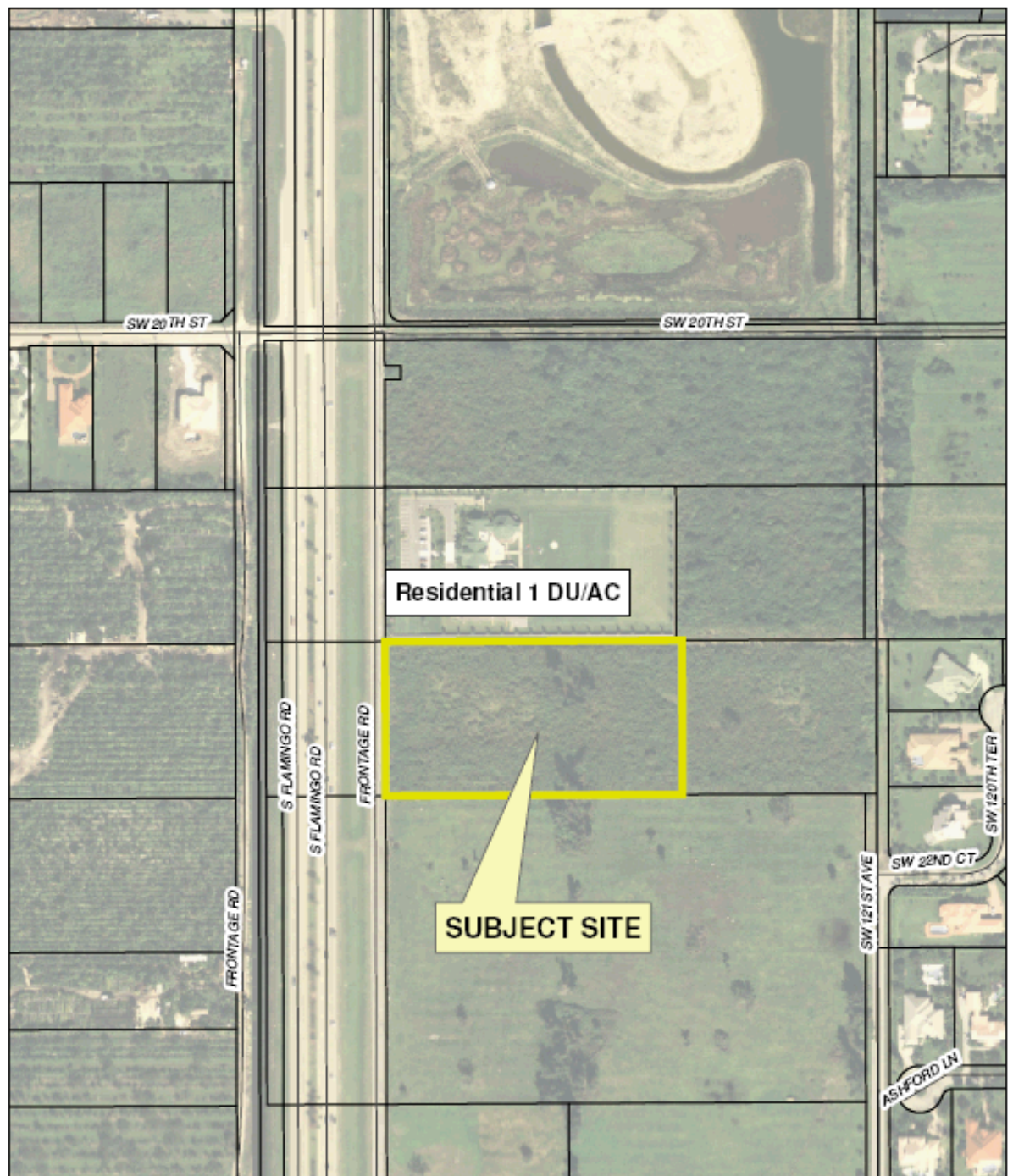
1. Future Land Use Plan Map
 2. Zoning and Aerial Map
-

Prepared by: _____

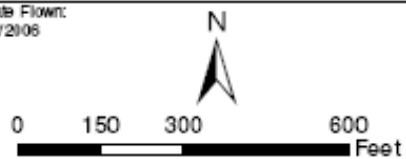
Reviewed by: _____

File Location: P&Z\Development Applications\Applications\P_Plat\P_07\P 2-1-07 Hanmi Baptist Church

Exhibit 1 (*Future Land Use Plan Map*)



Date Flown:
12/29/06

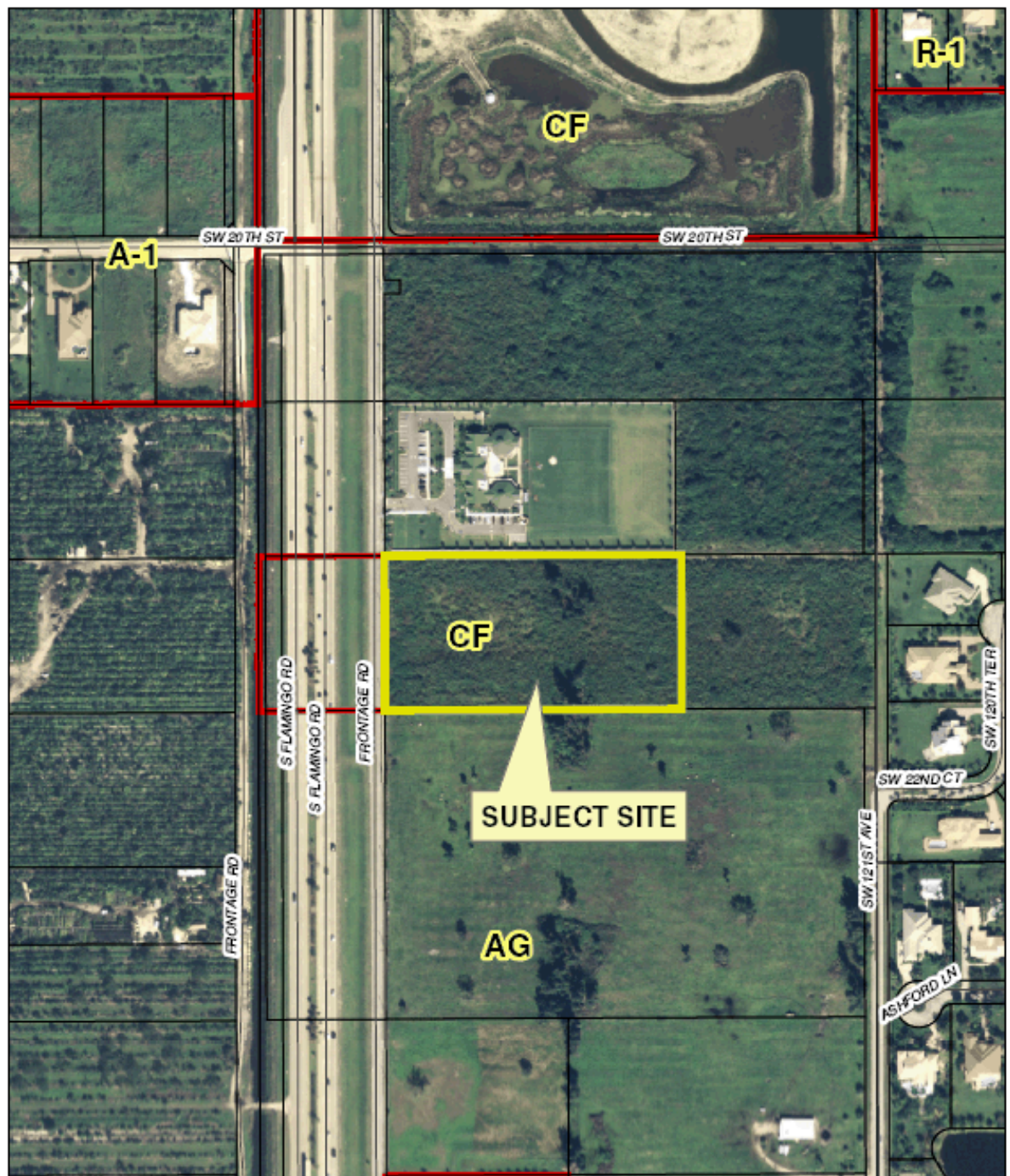



Prepared by the Town of Davie GIS Division

Future Land Use Map

Prepared by: ID
Date Prepared: 12/5/07

Exhibit 2 (*Aerial, Zoning, and Subject Map*)



	<p>Date Flown: 12/2006</p> <p style="text-align: center;">N</p> <p style="text-align: center;">0 150 300 600 Feet</p> <p style="text-align: center;">Prepared by the Town of Davie GIS Division</p>	<p style="text-align: center;">Zoning and Aerial Map</p> <p>Prepared by : ID Date Prepared: 12/5/07</p>
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